To: Coleman, Charles[COleman.Charles@epa.gov]; Lensink, Andy[Lensink.Andy@epa.gov] Cc: DalSoglio, Julie[DalSoglio.Julie@epa.gov]; Vranka, Joe[vranka.joe@epa.gov]; 'Haque-Hausrath, Katherine'[KHaqueHausrath@mt.gov]; 'Chavez, Joel'[jchavez@mt.gov]; 'John W. Sither (John.Sither@usdoj.gov)'[John.Sither@usdoj.gov]; 'Gallery, Patricia A'[patricia.gallery@bp.com]; 'Thun, Roy l'[Roy.Thun@bp.com]; 'Jim Chatham'[James.Chatham@bp.com]; 'Kelley, Jill (Kelly Services)'[Jill.Kelley@bp.com]; 'John Davis'[jpd@prrlaw.com]

From: Duffy, William

**Sent:** Fri 12/19/2014 7:32:47 PM

Subject: Anaconda: EPA and CDM Smith Correspondence re: Arsenic Source Investigation Interpretive

Analysis

ColemanLensink.pdf

Andy and Charlie – the attached letter acknowledges the differences of opinion among Atlantic Richfield and the agencies related to the extent to which naturally occurring Arsenic contributes to arsenic concentrations in the Anaconda Area. Notwithstanding these differences, Atlantic Richfield appreciates receipt of the Agencies' proposal for a programmatic approach to deal with arsenic in domestic groundwater supplies. An agreed –upon programmatic approach would allow the parties to set aside their different views of the facts and law.

We agree that it makes sense for the parties' to focus their efforts toward defining a programmatic approach that works for all parties and protects the public. Accordingly, Atlantic Richfield will defer preparation of a formal response to the Agencies November 20<sup>th</sup> letter and enclosures while the parties' explore a programmatic approach.

Happy Holidays to everybody.

Bill

## William Duffy Partner

P: 303.892.7372 • F: 303.893.1379 • M: 720.234.5971 • vcard

## Davis Graham & Stubbs LLP

1550 17th Street, Suite 500 - Denver, CO 80202

This email message, and its attachment(s), is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.

In accordance with applicable U.S. Treasury Regulations we inform you that, unless expressly stated otherwise, any advice contained in this communication and any attachment hereto cannot

be used either (i) to avoid penalties imposed under the Internal Revenue Code or (ii) for promoting, marketing, or recommending any transactions or matters addressed by such advice.

## A LexMundi Member